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General and complete disarmament

**Nuclear disarmament; follow-up to the advisory opinion of
the International Court of Justice on the legality of the
threat or use of nuclear weapons; reducing nuclear danger**

Report of the Secretary-General

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* A/70/50.



I. Introduction

1. The present report is submitted pursuant to requests contained in General Assembly resolutions 70/52, 70/56 and 70/37.
2. In paragraph 3 of resolution 70/56, the General Assembly requested all States to inform the Secretary-General of the efforts and measures they had taken with respect to the implementation of the resolution and nuclear disarmament and requested the Secretary-General to apprise the General Assembly of that information at its seventy-first session.
3. In paragraph 22 of resolution 70/52, the General Assembly requested the Secretary-General to submit to the General Assembly at its seventy-first session a report on the implementation of the resolution.
4. In paragraph 5 of resolution 70/37, the General Assembly requested the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war,¹ and also to continue to encourage Member States to consider the convening of an international conference, as proposed in the United Nations Millennium Declaration,² to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its seventy-first session.

II. Observations

5. Since the previous report (A/70/181), States have undertaken various efforts to facilitate the implementation of nuclear disarmament and non-proliferation agreements.

(a) On 29 September 2015, in New York, at the ninth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (Article XIV Conference), ministers for foreign affairs and other high-level representatives of States adopted a Final Declaration and Measures to Promote the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. In the declaration, they reaffirmed the vital importance and urgency of the entry into force of the Treaty and recalled the deep concern expressed in the outcome document of the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons with respect to the catastrophic humanitarian consequences of any use of nuclear weapons. Moreover, they noted that 2015 was the seventieth anniversary of the atomic bombings of Hiroshima and Nagasaki and also encouraged all States to actively participate in the annual International Day against Nuclear Tests established by the General Assembly in resolution 64/35. The Article XIV Conference was chaired by the Ministers for Foreign Affairs of Japan, Fumio Kishida, and of Kazakhstan, Erlan Idrissov. Participating States underscored the importance of the Comprehensive Nuclear-Test-Ban Treaty as a critical component of the nuclear disarmament and non-proliferation regime, and encouraged universal adherence to the Treaty in 2016, the 20th anniversary of its opening for signature. While none of the Annex II States have ratified the Treaty since the Secretary-General's previous

¹ A/56/400, para. 3.

² Resolution 55/2.

report, on 20 March 2016, Angola ratified the Treaty, becoming the 164th State to do so.

(b) The 2016 session of the United Nations Disarmament Commission, the second session of its three-year cycle, was held from 4 to 22 April 2016 in New York, chaired by Odo Tevi (Vanuatu). At the session, procedural reports of the Commission and its subsidiary bodies were adopted. The report of the Commission for 2016 (A/71/42) reflects the informal discussions held on the possible inclusion on the agenda of a third item and the Chair's intention to continue informal consultations in that regard. During its 12 meetings, Working Group I on agenda item 4 ("Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons") discussed the Chair's 2015 non-paper, the Chair's non-paper of 11 April 2016 and the Chair's revised non-paper of 17 April 2016. The Chair's revised non-paper of 17 April, presented by Kairat Abdrakhmanov (Kazakhstan), sought to consolidate the previous papers by addressing objectives, principles and recommendations for achieving the objective of nuclear disarmament and the non-proliferation of nuclear weapons. Although the Working Group held in-depth discussions, Member States were unable to reach consensus on substantive recommendations because there remained a divergence of views. Nonetheless, discussions on agenda item 4 will continue at the substantive session in 2017, when the current cycle of sessions will be completed.

(c) The two nuclear-weapon States with the largest arsenals took steps to implement the reductions agreed to in the New Strategic Arms Reduction Treaty. The Treaty's central limits on strategic arms are to be met by 6 February 2018. As at 1 March 2016, according to the data provided by the parties on their aggregate holdings of strategic offensive arms, the Russian Federation possessed 521 deployed intercontinental ballistic missiles, submarine-launched ballistic missiles and heavy bombers and 1,735 warheads on those systems, and the United States of America possessed 741 deployed intercontinental ballistic missiles, submarine-launched ballistic missiles and heavy bombers and 1,481 warheads on those systems. Moreover, the United States reiterated its willingness to negotiate further reductions of deployed strategic nuclear weapons by up to one third below the level set by the New Strategic Arms Reduction Treaty, as initially proposed by the President of the United States, Barack Obama, during a speech in Berlin in June 2013.

6. In addition to the efforts discussed above, other multilateral initiatives have been pursued that could contribute to the achievement of a world without nuclear weapons:

(a) An informal meeting of the United Nations General Assembly to mark the 2015 observance of the International Day against Nuclear Tests was held on 10 September 2015 at United Nations Headquarters. Opening statements were made by the President of the sixty-ninth session of the General Assembly, Sam Kutesa (Uganda), as well as by the Secretary-General and the Permanent Representative of the Republic of Kazakhstan to the United Nations. Following the opening ceremony, a High-level Interactive Panel on the theme "Towards zero: resolving the contradictions" exchanged views on how common ground might be reached among different approaches to achieve a world free of nuclear weapons.

(b) On 14 July 2015, the E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America) and the Islamic Republic of Iran announced that they had

reached agreement on a Joint Comprehensive Plan of Action. That agreement was the culmination of more than a decade of negotiations aimed at achieving a peaceful and diplomatic solution that would restore international confidence in the exclusively peaceful nature of the nuclear programme of the Islamic Republic of Iran. The key nuclear-related commitments under the Plan of Action are: a reduction in the number of installed and operating centrifuges in the Islamic Republic of Iran for 10 years; limitation on the enrichment level of low-enriched uranium for 15 years; the conversion of the Fordow Fuel Enrichment Plant to non-enrichment-related research and activities; the redesign and conversion of the heavy water research reactor at Arak to be less capable of producing plutonium; the provisional application of the International Atomic Energy Agency (IAEA) Additional Protocol pending its entry into force; and acceptance of monitoring and verification at uranium mines and milling sites as well as at uranium centrifuge production and storage facilities.

(c) Building on the momentum garnered from the constructive engagement at the first-ever high-level meeting of the General Assembly on nuclear disarmament, in 2013, the member States of the Non-Aligned Movement sought to take forward that initiative through the introduction in the First Committee of a draft resolution, entitled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament", which was subsequently adopted by the Assembly (resolution 70/34). Pursuant to the declaration of 26 September as the International Day for the Total Elimination of Nuclear Weapons by the General Assembly in resolution 68/32, the 2015 meeting to commemorate that day was held on 30 September 2015. It was chaired by the President of the seventieth session of the General Assembly, Mogens Lykketoft (Denmark). The Secretary-General marked the occasion with a message in which he reiterated the view that the only absolute guarantee that nuclear weapons were never used again was their total elimination.³ As was the case in 2015, civil society also made an important contribution to the commemoration and promotion of the International Day. Statements were delivered by representatives of the International Campaign to Abolish Nuclear Weapons and of the Marshallese Educational Initiative.

(d) In resolution 70/33, the General Assembly decided to convene an open-ended working group with a mandate to substantively address concrete effective legal measures, legal provisions and norms that would needed to be concluded to attain and maintain a world without nuclear weapons. The first and second substantive sessions of the working group, chaired by Thani Thongphakdi (Thailand), were convened in Geneva in February and May 2016, respectively, with broad participation by Member States, civil society and international organizations. Various working papers were submitted by States and by non-governmental organizations. Following the first substantive session, the Chair submitted a synthesis paper reflecting the main points of discussion. During the second substantive session, further discussions were held on a range of elements considered important for the achievement and maintenance of a nuclear weapon-free world, such as measures to reduce and eliminate the risk of accidental, mistaken, unauthorized or intentional nuclear weapon detonations, and transparency measures relating to the risks associated with existing nuclear weapons. Participating States also addressed additional measures to increase awareness and understanding of the

³ www.un.org/en/events/nuclearweaponelimination/2015/sgmessage.shtml.

complexity of and the interrelationship between the humanitarian consequences that would result from any nuclear detonation. States also reflected on essential elements that could form part of effective legal measures, legal provisions and norms that would need to be concluded to attain and maintain a world without nuclear weapons.

(e) In the context of the Nuclear Security Summit process initiated by the President of the United States, Barack Obama, in 2009, participating States engaged with the United Nations and other key multilateral institutions that have a stake in building an enduring global nuclear security architecture, in particular IAEA and INTERPOL. States have taken steps to secure vulnerable nuclear material worldwide. At the final Nuclear Security Summit in the current framework, held in Washington, D.C. on 31 March and 1 April 2016, and building upon the work carried out at the previous summits in 2010, 2012 and 2014, participating States adopted a communiqué as well as five distinct action plans for respective stakeholders, namely, the United Nations, IAEA, INTERPOL, the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, and the Global Initiative to Combat Nuclear Terrorism.⁴ Representatives of 52 States attended, along with those of three international organizations and the European Union. The communiqué, in particular, outlines measures that will maintain the momentum generated by the Nuclear Security Summit process, while strengthening nuclear security at the national, regional and global levels. The United Nations Action Plan focuses on the implementation of Security Council resolution 1540 (2004) and universalization of the International Convention for the Suppression of Acts of Nuclear Terrorism as instruments that form the legal basis for combating nuclear terrorism. Also in the framework of the Nuclear Security Summit, States have prioritized the strengthening of national implementation of nuclear security through tangible commitments from countries in the form of house gifts and gift baskets.

(f) Pursuant to General Assembly resolution 65/66, the first substantive session of an open-ended working group to consider the objectives and agenda, including the possible establishment of a preparatory committee, for a fourth special session of the General Assembly devoted to disarmament was convened from 28 March to 1 April 2016 for a total of eight meetings. State representatives discussed in an interactive manner a range of substantive issues of relevance to the possible objectives and agenda of a fourth special session. A briefing on the outcomes of the previous Special Sessions of the General Assembly devoted to disarmament was also provided to delegates and was followed by a robust exchange of questions and answers. The Chair of the open-ended working group, Fernando Luque (Ecuador), indicated his intention of circulating a proposal for objectives and an agenda based on the inputs of States, ahead of the second substantive session in July 2016.

(g) Although the Conference on Disarmament continued to face challenges, efforts were exerted by the Presidents of the 2015 session, as well as the Secretary-General of the Conference on Disarmament, to reinvigorate multilateral disarmament discussions, albeit in a non-negotiating format. The six Presidents organized a range of informal meetings during their tenures in order to address the four core agenda items, namely, nuclear disarmament, a fissile material treaty,

⁴ www.nss2016.org/2016-action-plans/.

prevention of an arms race in outer space and negative security assurances. The six Presidents of the 2015 session also continued consultations on a possible programme of work. Although consensus on a programme of work remained elusive, the members did engage in a range of discussions contributing to further understanding of national views. The Conference also established an informal working group on a programme of work. Established by decision CD/2022 in June 2015, the Informal Working Group provided a venue for a series of consultations, over a relatively short period, with a view to garnering support for a programme of work.

7. Despite some progress in implementing nuclear disarmament and non-proliferation agreements and pursuing new initiatives to support those goals, setbacks and growing impatience with the slow pace of progress have persisted.

(a) Advancement towards the implementation of the 1995 resolution on a zone free of nuclear and all other weapons of mass destruction in the Middle East has been challenging. Despite the efforts of the appointed facilitator, Jaako Laajava (Finland), and the co-conveners of the proposed conference,⁵ a sixth round of informal consultations was not held before the 2015 Review Conference. Deep disappointment over the continued postponement of the conference since 2012 remained widespread and the lack of agreement at the 2015 Review Conference has left the process in a state of uncertainty.

(b) The protracted stalemate in the multilateral disarmament machinery, namely the United Nations Disarmament Commission and the Conference on Disarmament, poses a formidable challenge to the achievement of nuclear disarmament. The inability to make substantive progress in those forums continues to present an obstacle to nuclear disarmament. Additionally, the longstanding deadlock has further encouraged some States to consider actions to make progress outside of the machinery.

(c) While efforts towards reducing existing stockpiles are acknowledged, the estimated total number of nuclear weapons, deployed and non-deployed, still amounts to several thousands. Moreover, States continue to rely on nuclear weapons in defence and security policies, and undertake programmes to modernize their weapons, delivery systems and related infrastructure.

(d) On 6 January 2016, the Democratic People's Republic of Korea conducted its fourth nuclear test, despite the strong and unequivocal call from the international community to refrain from any further provocative measures, and contrary to the relevant decisions of the Security Council.

8. While States continue to seek means of intensifying efforts for the achievement of the objective of nuclear disarmament, divisions among States concerning the pathway forward remain deep. Such divisions were a key factor in the inability to reach a substantive outcome agreement at the 2015 Review Conference. Nonetheless, momentum has been generated over the past several years by the humanitarian movement for nuclear disarmament, which has resulted in the General Assembly taking new steps for the elaboration of effective legal measures for nuclear disarmament.

⁵ China, the Russian Federation, the United States of America and the Secretary-General of the United Nations.

9. The Secretary-General and the High Representative for Disarmament Affairs continue their efforts to promote nuclear disarmament and non-proliferation.

III. Information received from Governments

Colombia

[Original: Spanish
18 April 2016]

Colombia has always fully supported the legal instruments and international institutions, and is strongly committed to the disarmament and non-proliferation regime as principles of its foreign policy.

Colombia shares the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, it participates in the major multilateral forums addressing this topic, namely, the Conference on Disarmament, the Disarmament Commission and the open-ended working group to develop proposals to take forward multilateral nuclear disarmament negotiations.

As a State party to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, which established the first densely populated nuclear-weapon-free zone, Colombia advocates the creation of nuclear-weapon-free zones as a contribution to international peace and security.

Lastly, Colombia has traditionally voted in favour of the resolution on the issue which is submitted in the General Assembly.

Cuba

[Original: Spanish
31 May 2016]

It is regrettable that, 20 years after the International Court of Justice declared the use of nuclear weapons illegal in its advisory opinion of 8 July 1996 on the legality of the threat or use of nuclear weapons, very little progress has been made towards the total elimination of nuclear weapons and that nuclear deterrence continues to be a core part of the military defence and security doctrines of some States.

Despite the fact that every year the General Assembly adopts a resolution on "Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons", this advisory opinion continues not to be implemented. In this context, Cuba reiterates the importance of the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

The use or threat of use of nuclear weapons is a violation of the Charter of the United Nations and a violation of both international law and international humanitarian law, constituting a crime against humanity. We are convinced that

prohibition and total elimination is the only absolute guarantee against the use or threat of use of nuclear weapons.

As long as nuclear weapons exist, there is a danger that they might be used. In that regard, the deployment of nuclear weapons by nuclear-weapon States in the territory of non-nuclear-weapon States is a concern, since, in practice, this means there are many more "possessor States".

We strongly condemn the enhancement of existing nuclear weapons and the development of new types of nuclear weapons, which is inconsistent with the obligation to adopt effective measures towards nuclear disarmament. Pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons, nuclear-weapon States have an obligation not only to pursue, but also to bring to a conclusion, negotiations leading to nuclear disarmament under a strict and effective international verification system.

Cuba shares the determination of the international community to achieve the goal of a world free of nuclear weapons through their prohibition and total elimination.

India

[Original: English
31 May 2016]

India joined the co-sponsors of resolution 70/56.

India's consistent support and co-sponsorship of the International Court of Justice resolution in the General Assembly is an expression of its commitment, as underlined by the 1996 Advisory Opinion of the International Court of Justice, to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. India's support for the existence of an obligation to pursue in good faith and to conclude nuclear disarmament negotiations is not based on the provisions of any particular legal instrument but is a logical extension of India's consistent political support for nuclear disarmament.

India is convinced that the goal of nuclear disarmament can be achieved by a step-by-step process underwritten by a universal commitment and an agreed multilateral framework that is global and non-discriminatory. There is need for a meaningful dialogue among all States possessing nuclear weapons to build trust and confidence and to reduce the salience of nuclear weapons in international affairs and security doctrines.

India's working paper CD/1816 enumerated specific steps, including reaffirmation of the unequivocal commitment of all nuclear-weapon States to the goal of complete elimination of nuclear weapons; reduction of the salience of nuclear weapons in security doctrines; measures by nuclear-weapon States to reduce nuclear danger; negotiation of a global agreement among nuclear-weapon States on "no first use" of nuclear weapons; negotiation of a universal and legally-binding agreement on non-use of nuclear weapons against non-nuclear-weapon States; negotiation of a convention on the complete prohibition of the use or threat of use of nuclear weapons; and negotiation of a nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons and on their

destruction, leading to the global, non-discriminatory and verifiable elimination of nuclear weapons within a specified time frame.

India considers the Conference on Disarmament the appropriate forum for the commencement of negotiations on nuclear disarmament, through the establishment of a subsidiary body with a mandate agreed by consensus as part of a comprehensive and balanced programme of work. India has consistently supported the negotiation in the Conference on Disarmament of a comprehensive nuclear weapons convention, and has also reiterated its readiness to negotiate a convention on the prohibition of the use of nuclear weapons, most recently in the Conference plenary on 26 January 2016.

Islamic Republic of Iran

[Original: English]
16 June 2016]

The death and destruction caused by the horrible nuclear attacks on Hiroshima and Nagasaki in 1945 proved that nuclear weapons, as the most horrendous weapons, are unique in their destructive power, in the unspeakable human suffering they cause, in the impossibility of controlling their effects in time and space, and in the threat they pose to the environment, to future generations, and indeed to the survival of humanity; thus, the only absolute guarantee against the use or threat of use of nuclear weapons is their total elimination and assuring that they will never be produced again.

Since then, nuclear disarmament has always been the highest global priority. The recent intensified international efforts, represented, in part, in the first-ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, and the three conferences on the humanitarian impact of nuclear weapons, in 2013 and 2014, suggest that this 70-year old global demand continues to be pursued with determination and strong resolve.

Likewise, since the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons in 1970, nuclear disarmament is also a 45-year old explicit legal obligation, for the realization of which certain decisions have been made and agreements reached within the context of the Review Conferences of the Parties to the Treaty. Adoption of the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty by the 2000 Review Conference and a 22-point action plan on nuclear disarmament by the 2010 Review Conference are among such decisions.

Even though the incomplete, selective and discriminatory implementation of the provisions of this Treaty is considered one of its challenges that needs to be effectively addressed, its main implementation challenge is the lack of real progress in the fulfilment, by all the nuclear-weapon States, of nuclear disarmament obligations under article VI of the Treaty. At the same time, the failure of the Treaty to gain a universal character remains a serious challenge to its effectiveness that needs to be addressed.

Pending the total elimination of nuclear weapons, there is also a dire need to grant to all non-nuclear-weapon States effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the

use or threat of use of nuclear weapons under all circumstances, especially taking into account the fact that the current frameworks to provide such assurances are very limited, conditional, insufficient and, above all, can justify the use of such weapons by resorting to such concepts as "defending the vital interests" of a nuclear-weapon State or its "allies and partners".

Without doubt, the Advisory Opinion of 8 July 1996 of the International Court of Justice on the legality of the threat or use of nuclear weapons is of the utmost importance in highlighting the legal obligation of the nuclear-weapon States on nuclear disarmament under article VI of the Non-Proliferation Treaty. The negotiating history and the text and context of the Treaty, as well as the content of the outcome documents of its Review Conferences, as subsequent practice, confirm that the most important incentive for the States negotiating the Treaty was to achieve the objective of a nuclear-weapon-free world. They also confirm that the fulfilment of this obligation is neither conditional nor optional. The text of the Treaty is clear in this regard when the parties thereto declare, in its preamble, "their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament" and urge "the cooperation of all States in the attainment of this objective". Moreover, through its article VI, each of the parties to the Treaty undertakes "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament".

Indeed, the non-nuclear-weapon States parties to the Treaty have ratified it based on this essential assumption that the implementation of the Treaty would and should lead to a nuclear-weapon-free world. Definitely, they never intended to become party to a Treaty that divides States into the nuclear-weapon-haves and the nuclear-weapon-have-nots and legitimizes the indefinite possession of such inhumane weapons by certain Powers. The Islamic Republic of Iran strongly believes that the purpose of the Treaty is not only to prevent the non-nuclear-weapon States from acquiring nuclear weapons, it is also to disarm nuclear-weapon States. The Treaty is about the elimination of all nuclear weapons, which is the only absolute guarantee against this scourge. The main purpose of the Treaty is that no one should have nuclear weapons. Accordingly, Iran continues to strongly reject any assumption that the indefinite extension of the Treaty implies the indefinite possession by the nuclear-weapon States of their nuclear arsenals or that they are legitimately held weapons. Any such assumption is incompatible with the object and purpose of the Treaty.

In the view of the Islamic Republic of Iran, the main challenge of nuclear disarmament is the lack of genuine political will by the nuclear-weapon States to fulfil their legal obligations under article VI of the Non-Proliferation Treaty and implement their unequivocal undertakings to accomplish the total elimination of their nuclear arsenals. The persistence of this situation definitely will add to the already existing frustration of the non-nuclear-weapon States, gradually erode the validity and credibility of the Non-Proliferation Treaty, lessen its effectiveness and negatively impact international peace and security, which certainly is not in the common interest of the present and future generations.

Accordingly, the Islamic Republic of Iran asserts that taking all necessary practical measures for the total elimination of all nuclear weapons worldwide, including pursuing in good faith and bringing to a conclusion negotiations leading

to nuclear disarmament in all its aspects under strict and effective international control, as unanimously concluded by the International Court of Justice in its Advisory Opinion, is a legal obligation to which all States parties to the Non-Proliferation Treaty are committed under its article VI.

While expressing deep disappointment over the lack of tangible progress so far in the implementation of the obligations under article VI of this Treaty and the unequivocal commitments under the 13 practical steps for systematic and progressive efforts to implement article VI of the Treaty and the 2010 action plan on nuclear disarmament, Iran highlights the importance of strong support, expressed at the first-ever high-level meeting of the United Nations General Assembly on nuclear disarmament, on 26 September 2013, for taking urgent and effective measures to achieve the total elimination of nuclear weapons, and urgent compliance with the legal obligations and the fulfilment of the commitments undertaken on nuclear disarmament.

In the view of the Islamic Republic of Iran, lack of practical progress on the fulfilment of such obligations and unequivocal commitments cannot continue indefinitely, and therefore their implementation should be time-bound. To that end, Iran believes that all States should urgently commence the negotiations, in the Conference on Disarmament, for the early conclusion of a comprehensive convention on nuclear weapons, to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction, as called for by the United Nations General Assembly in resolutions 68/32, 69/38 and 70/34. In this context, Iran is of the view that the United Nations high-level international conference on nuclear disarmament in 2018, the convening of which also has been decided by the United Nations General Assembly in its resolution 68/32, provides the international community of States with a valuable opportunity to review the progress made in nuclear disarmament. This conference can be utilized to advance the objective of a nuclear-weapon-free world, including through making concrete decisions, such as identifying a deadline for the total elimination of nuclear weapons worldwide.

While expressing deep disappointment at the act of two nuclear-weapon States depositories of the Non-Proliferation Treaty, namely the United States and the United Kingdom, along with Canada, in blocking the adoption of a substantive outcome document for the 2015 Review Conference of the Parties to this Treaty, and particularly over the fact that this has been carried out through disregarding the views of almost all parties to the Non-Proliferation Treaty only to appease the Israeli regime that is the only non-party to this Treaty in the Middle East, the Islamic Republic of Iran highlights the importance of the three-phased plan of action for the total elimination of nuclear weapons, which was put forward by the Group of Non-Aligned States Parties to the Non-Proliferation Treaty during the 2015 Review Conference of the Treaty, and consists of concrete steps, particularly through the negotiation and adoption of a comprehensive nuclear weapons convention which includes a phased programme and a specified time frame for the complete elimination of nuclear weapons.

As the International Court of Justice, in its advisory opinion of 8 July 1996 on the legality of the threat or use of nuclear weapons, decided, "there is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons" and "the threat or use of nuclear weapons would

generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law". Therefore, any use or threat of use of any type of nuclear weapons, under any circumstances, would be contrary to Article 2 (4) of the Charter of the United Nations, the general principles of international law and the rules and regulations of international humanitarian law, and would constitute a crime against humanity. Iran asserts that, even resorting to Article 51 of the Charter of the United Nations cannot, in any way and under any condition, justify the use or threat of use of these inhumane weapons.

Moreover, any use or threat of use of nuclear weapons would seriously undermine the very foundations, integrity, credibility and thus sustainability of the Non-Proliferation Treaty and would be contrary to its object and purpose. Accordingly, all the nuclear-weapon States should seriously refrain, under any and all circumstances and without any discrimination or exception, from the use or threat of use of nuclear weapons against any non-nuclear-weapon State party to the Treaty.

Lebanon

[Original: Arabic
8 April 2016]

Lebanon wishes to emphasize that:

It does not possess or produce weapons of mass destruction. It complies with the United Nations resolutions in that regard and is opposed to the legality of the threat or use of such weapons;

It welcomes and supports all initiatives aimed at bringing about general and complete disarmament, especially in the Middle East, and emphasizes that the region should be free of weapons of mass destruction. It is, however, concerned at the failure of Israel to comply with international law. Israel maintains a nuclear arsenal that constitutes a constant threat to all the States of the region and consequently to international peace and security;

It is essential for the Arab States to continue to call for the establishment of a zone free of weapons of mass destruction in the Middle East, because that is the only available option for coping with the dangers which the nuclear armaments of Israel and its other weapons of mass destruction represent for international peace and Arab national security;

The international community should continue to demand that all States in the region, including Israel, should sign treaties on the non-proliferation of weapons of mass destruction and nuclear weapons;

It calls for the introduction and development of the use of peaceful nuclear technologies in all fields that serve sustainable development and that the various needs of the Arab States be taken into account.

Mexico

(Original: Spanish
27 April 2016)

Given that the establishment of the United Nations coincided with the start of the nuclear age, the interest of Member States in disarmament, particularly nuclear disarmament, is central to the work of the Organization.

Although Mexico does not possess nuclear weapons, it is aware of the devastating short- and long-term effects of an intentional or accidental nuclear detonation on the population and the environment, not only at the regional but also at the global level. The total elimination of nuclear weapons has therefore been a key element of Mexico's position in multilateral contexts, in line with its foreign policy and the principles contained in the Charter of the United Nations.

For those reasons, and pursuant to the recommendations of the 1996 advisory opinion of the International Court of Justice, Mexico has remained extremely active at the international level with a view to achieving the prohibition and total elimination of nuclear weapons through a legally binding instrument under strict and effective international control.

To that end, independently of the changes Mexico has made in its national legal framework in accordance with the international treaties to which it is a party, it has taken various multilateral steps, in its national capacity and in conjunction with like-minded countries, to hold and successfully conclude the multilateral negotiations on nuclear disarmament that are an obligation for parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Mexico therefore participates actively and decisively in the various multilateral and regional forums that deal with the issue of nuclear disarmament. At the seventieth session of the General Assembly, Mexico, both in its national capacity and together with other States, submitted draft resolutions in the First Committee on the following topics in the area:

- (i) Taking forward multilateral nuclear disarmament negotiations
- (ii) Humanitarian consequences of nuclear weapons
- (iii) Humanitarian pledge for the prohibition and elimination of nuclear weapons
- (iv) Ethical imperatives for a nuclear-weapon-free world
- (v) Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments
- (vi) Comprehensive Nuclear-Test-Ban Treaty

In particular, Mexico submitted, coordinated and facilitated the resolution entitled "Taking forward multilateral nuclear disarmament negotiations", co-sponsored by 28 countries,⁶ which establishes an open-ended working group that

⁶ Austria, Brazil, Chile, Costa Rica, Ecuador, Georgia, Ghana, Guatemala, Honduras, Ireland, Jamaica, Kenya, Liechtenstein, Malta, Marshall Islands, Mexico, Nicaragua, Nigeria, Palau, Panama, Paraguay, Peru, Philippines, South Africa, Thailand, Trinidad and Tobago, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of).

will convene under the rules of procedure of the General Assembly, with the possibility of voting, inclusive participation and representatives of international organizations and civil society, with the mandate of substantively addressing new legal norms and measures in nuclear disarmament.

The open-ended working group will convene in 2016 in Geneva for 15 days, meeting on three occasions: from 22 to 26 February, from 2 to 13 May and in the week of 22 August.

Mexico has stated that while there can be no progress in disarmament in the absence of the nuclear-weapon countries, the open-ended working group should focus on the progress that can be made by non-nuclear-weapon States, namely the development of new norms and the prevention of a humanitarian catastrophe. Mexico also participated in the open-ended working group as a member of the New Agenda Coalition, the Community of Latin American and Caribbean States and the Humanitarian Initiative, and as a Member State of one of the nuclear-weapon-free zones, which reiterated their support for nuclear disarmament.

In addition, together with Austria, the Holy See, Ireland and South Africa, Mexico has since 2012 promoted the approach known as the humanitarian initiative, which emerged as an alternative to the frustration of the non-nuclear-weapon States and of civil society with the lack of progress towards nuclear disarmament.

At the three Conferences on the Humanitarian Impact of Nuclear Weapons, held in Oslo in 2013 and in Nayarit, Mexico, and Vienna in 2014, the catastrophic consequences of one or more accidental or intentional nuclear detonations for and the associated threats to the existence of the environment, ecosystems, climate change, development, global health and food security were demonstrated through scientific data and analysis.

At the Vienna Conference, Austria pledged to take steps to fill the legal gap for the stigmatization and prohibition of nuclear weapons with a view to their elimination, in view of the harm that would result from an accidental or intentional nuclear detonation, and invited other countries to do likewise. The Community of Latin American and Caribbean States endorsed the Austrian Pledge on 29 January 2015, at the initiative of Mexico, becoming the first regional body to do so. At the time of submission of the present report, the Austrian Pledge has been endorsed by 127 countries and renamed the Humanitarian Pledge.

Although no final document was adopted at the ninth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the major outcome of the review cycle was the Humanitarian Initiative. 159 countries endorsed the Pledge, which states that the basis of disarmament and non-proliferation is concern about the impact of nuclear weapons, which must not be used again under any circumstances.

Mexico welcomes the clear shift in the parameters, approach, tone and balance of the current debates regarding the humanitarian impact of nuclear weapons, and the commitment of States on the matter. The non-nuclear-weapon States today are more empowered to demand our security on an equal footing.

Portugal

[Original: English
31 May 2016]

Portugal is committed to promoting disarmament and non-proliferation of all kinds of weapons of mass destruction, and in this context is part of several of the major international initiatives that promote disarmament and non-proliferation. The issue of nuclear weapons is one that raises major concerns in Portugal, which is engaged in active multilateral efforts to promote nuclear disarmament and nuclear safety. Our participation in the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, the Convention on Nuclear Safety, the Convention on the Physical Protection of Nuclear Material, and its Amendment, the Missile Technology Control Regime, the Australia Group and the Nuclear Suppliers Group, reflects the Portuguese commitment to this endeavour and to the obligations of article VI.

On this matter, and recalling the Portuguese commitments to all its international partners, in terms of the follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, Portugal reaffirms that the principles established in that document are well entrenched in Portuguese doctrine regarding nuclear issues.

Portugal is of the view that a nuclear weapons ban convention could ultimately be pursued as long as negotiations start regarding a treaty banning the production of fissile materials for nuclear weapons or other nuclear devices on the basis of document CD/1299 and the mandate contained therein.

Qatar

[Original: English
27 April 2016]

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the United Nations Office for Disarmament Affairs and, in reference to the note dated 10 February 2016 (ODA/23-2016/CJ) seeking the views of Member States regarding General Assembly resolution 70/56, entitled "Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons", has the honour to communicate the views of the State of Qatar on the said resolution, which read as follows:

- (i) The State of Qatar believes that the use or threat of use of nuclear weapons is contrary to the international law applicable in armed conflicts, notably the principles and norms of international humanitarian law.
- (ii) The State of Qatar is fully convinced that the only guarantee against the use of nuclear weapons is the complete elimination of such weapons. It therefore stresses the significance of the advisory opinion of the International Court of Justice, which recalled in its unanimously adopted decision that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

(iii) The State of Qatar is of the view that the implementation of the three measures included in The Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the 22 actions included in the Final Document of the 2010 Review Conference constitutes a positive factor that should be accelerated. Hence the importance of establishing an ad hoc committee on nuclear disarmament in the framework of the Disarmament Conference in order to identify the steps necessary to achieve the objective of complete nuclear disarmament.

(iv) Qatar is a nuclear weapon-free State that does not possess any such weapons nor their means of delivery. It does not harbour any ambitions or intentions to possess or develop nuclear weapons-related programmes. It has not provided any scientific, technical or material assistance to any party seeking to possess or develop a nuclear weapon. It has not authorized any activities related to such weapons on its territory.

(v) The State of Qatar believes in the importance of the peaceful use of nuclear energy and in preventing its diversion towards military uses. In that spirit, it has joined the Treaty on the Non-Proliferation of Nuclear Weapons on 3 April 1989 and signed the Comprehensive Safeguards Agreements with the International Atomic Energy Agency on 19 January 2009. It has also signed the Nuclear Test Ban Treaty on 24 September 1996 and ratified it on 3 March 1997. Qatar has also presented a request for membership in the Disarmament Conference and is currently an observer State therein.

(vi) Qatar has participated in the 2013 Oslo Conference on the Humanitarian Impact of Nuclear Weapons, the second session of the Conference, held in Mexico in 2014, and the third session of the Conference, held in Vienna in December 2014, as part of its belief that humanity needs to recognize the threats posed by nuclear weapons, and that such awareness should be reflected in a concrete manner in the efforts that must be made to save humanity from the scourge of such weapons, and towards the ultimate objective of achieving a nuclear weapon-free world.

(vii) The State of Qatar has set up the National Committee for the Prohibition of Weapons for the implementation of treaties related to weapons of mass destruction. The Committee provides training and awareness services at the national, regional and international level.

(viii) The National Committee for the Prohibition of Weapons holds annual awareness workshops and organizes annual research paper and poster competitions for high school and college students on the threats posed by nuclear weapons.